

KAMMICK FOUCHE,

Plaintiff,

v.

MISSOURI AMERICAN WATER
COMPANY, et al.,

Defendants.

This matter is before the Court on plaintiff's motion for reconsideration or to otherwise set aside judgment. Defendants opposed the motion, and plaintiff did not file a reply memorandum.


A court has broad discretion in considering a Rule 59(e) motion. Hagerman v. Yukon Energy Corp., 839 F.2d 407, 413 (8th Cir. 1988). Rule 59(e) was adopted to clarify that “the district court possesses the power to rectify its own mistakes in the period immediately following the entry of

judgment.” White v. New Hampshire Dep’t of Employment Sec., 455 U.S. 445, 450 (1982) (internal quotations omitted). A Rule 59(e) motion may be granted to correct a manifest error of law or fact, or to consider newly-discovered evidence. See Hagerman, 890 F.2d at 414 (citation omitted). Such a motion cannot be used to introduce new evidence that could have been produced while the dispositive motion was pending. Chism v. W.R. Grace & Co., 158 F.3d 988, 992, n.4 (8th Cir. 1998); Hagerman, 839 F.2d at 414.

The arguments plaintiff makes in his one-page motion do not provide grounds for relief from the judgment. Plaintiff has failed to establish a manifest error of law or fact, the discovery of new evidence, or an intervening change in the law.

Accordingly,

IT IS HEREBY ORDERED that plaintiff Kammick Fouche’s motion for reconsideration or to otherwise set aside judgment is **DENIED**. [Doc. 29]



CHARLES A. SHAW
UNITED STATES DISTRICT JUDGE

Dated this 9th day of January, 2013.